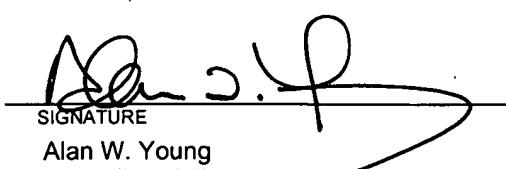


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER MARK5958 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/517359
INTERNATIONAL APPLICATION NO. PCT/GB03/02402	INTERNATIONAL FILING DATE 02 JUNE 2003 (02.06.2003)	PRIORITY DATE CLAIMED 31 MAY 2002 (31.05.2002)
TITLE OF INVENTION BACTERIAL TRANSFORMING AGENT		
APPLICANT(S) FOR DO/EO/US Michael Ernest LEVEY and Robert Leslie Rowland HILL		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Copy of ISR</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 107517359		INTERNATIONAL APPLICATION NO. PCT/GB03/02402		ATTORNEY'S DOCKET NUMBER MARK5958	
				CALCULATIONS	PTO USE ONLY
<p>21. <input type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>\$ 950.00</p>					
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <p>\$</p>					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	25 - 20 =	5	X \$18.00	\$ 90.00	
Independent claims	2 - 3 =	0	X \$88.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$300.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 1,040.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.					
<p>SUBTOTAL = \$ 520.00</p> <p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p>+ \$</p> <p>TOTAL NATIONAL FEE = \$ 520.00</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p> <p>+ \$</p> <p>TOTAL FEES ENCLOSED = \$ 520.00</p>					
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3159</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Alan W. Young YOUNG LAW FIRM, P.C. 4370 Alpine Rd., Ste. 106 Portola Valley, CA 94028</p>					
 <p>SIGNATURE Alan W. Young</p>					
<p>NAME 37,970</p>					
<p>REGISTRATION NUMBER</p>					

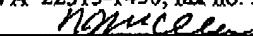
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	)	Examiner: Not Assigned	RECEIVED
Michael Ernest LEVEY and	)	Art Unit: Not Assigned	CENTRAL FAX CENTER
Robert Leslie Rowland HILL	)	Confirmation No.: 5573	JUL 27 2005
Serial No.: 10/517,359	)	Customer No.: 22430	
Filed: November 30, 2004	)	Total Pages: 9	
For: BACTERIAL TRANS-	)	<u>RESPONSE TO NOTICE OF MISSING</u>	
FORMING AGENT	)	<u>REQUIREMENTS UNDER 35 U.S.C. 371</u>	
Atty. Docket No.: MARK5958)		

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that these documents are being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, fax no. 571.273.8300, on July 27, 2005.



Nita J. Miller

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements Under 35 USC 371, mailed June 15, 2005, attached for filing are:

- Copy of the Notice of Missing Requirements (2pgs);
- Declaration for Utility or Design Patent Application (2pgs);
- Power of Attorney and Correspondence Address Indication Form (1pg);
- Statement Under 37 CFR 3.73(b), with a copy of the Assignment as submitted for recordation, attached thereto (3pgs).

No fees are believed to be due with this communication. The Director is authorized to charge any fees which may be required in connection with this application to Deposit Account No. 50-3159, referencing Atty. Docket No. MARK5958.

Respectfully submitted,

Date: July 27, 2005

By: Alan W. Morris 10517359 00000002 503159 10517359
Alan W. Morris
Attorney for Applicants
Registration No. 37,970

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